

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

207

CRM-M No.29660-2020

Date of Decision: October 7th, 2020

Ritik Kumar @ Deepak Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Puneet Sareen, Advocate
for the petitioner.

Mr. B.S. Sewak, Additional Advocate General, Punjab.

Mr. H.S. Sidhu, Advocate
for the complainant.

(PROCEEDINGS THROUGH V.C.)

AUGUSTINE GEORGE MASI, J. (ORAL)

Prayer in this petition is for grant of regular bail to the petitioner in FIR No.123 dated 30.05.2020 registered under Sections 363, 366, 120-B IPC at Police Station Sujampur, District Pathankot.

On 30.09.2020, when this case was taken up for hearing, following order was passed:-

“Learned counsel for the petitioner contends that even going through the FIR, there are no allegations of rape against the petitioner. The age of the victim was above 17 years and 9 months. It appears to be a love affair between the petitioner and the alleged victim. Assertion has also been made that there was misconception in the mind of the complainant leading to the lodging of the FIR and now the matter has been settled between the parties and a compromise has been effected on 25.09.2020. Complainant – Ravi Kumar, father of the victim, has given an affidavit dated 29.09.2020, along with which there is a compromise attached, which has been placed on record through email.

Mr. Manu Loona, proxy counsel for Mr. H.S. Sidhu, Advocate, has put in appearance on behalf of complainant

– Ravi Kumar and acknowledged the factum of compromise as also the affidavit dated 29.09.2020.

Counsel for the State to verify the correctness and authenticity of the affidavit and the compromise, which have been placed on record.

Counsel for the petitioner undertakes to supply photocopies of the affidavit and the compromise to the learned counsel for the State during the course of the day through email.

List on 07.10.2020 for consideration.”

In pursuance to the said order, counsel for the State, on instructions from ASI Rajesh Kumar, Police Station Sujampur, District Pathankot, acknowledges the fact that there has indeed been a compromise between the parties.

Counsel for the petitioner, therefore, prays that the petitioner be granted the concession of bail.

Counsel for the complainant states that he has no objection to the prayer made by the petitioner.

Keeping in view the allegations in the FIR and especially, the affidavit of the complainant, the present petition is allowed.

Petitioner is directed to be released on bail to the satisfaction of the trial Court/Chief Judicial Magistrate/Duty Magistrate, Pathankot.

Any observations made hereinabove are for the purpose of disposal of the present petition alone and shall have no bearing on the merit of the case during the trial in any manner.

October 7th, 2020
Puneet

(AUGUSTINE GEORGE MASIH)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable: No